

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
VERIZON HAWAII INC.)
For Approval of the Negotiated)
Amendment No. 1 to the)
Interconnection Agreement with)
1-800-Reconex, Inc.)

DOCKET NO. 02-0093

DECISION AND ORDER NO. 19467

DIV. OF CONSUMER AGENCY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

2002 JUL 16 P 4: 05

RECEIVED

Filed July 16, 2002
At 8:00 o'clock A.M.

Karen Higashi
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

K. Higashi

the telecommunications industry, and that it had no objections to the commission's approval of the application.

II.

By Decision and Order No. 18874, filed on September 5, 2001, in Docket No. 01-0202, the commission approved the negotiated interconnection agreement (Underlying Agreement) between the Parties, filed on June 8, 2001. The Amendment changes specific provisions of the Underlying Agreement regarding payment for Internet Traffic.¹ It provides that Internet Traffic shall not be eligible for payment of reciprocal compensation, and that the Parties' rights and obligations, with respect to any intercarrier compensation that may be due in connection with their exchange of Internet Traffic shall be governed by the Federal Communications Commission (FCC) Order on Remand and Report and Order, In the Matter of Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, Intercarrier Compensation for ISP Bound Traffic, FCC 01-131, CC Docket Nos. 96-98 and 99-68.

In our review of the Amendment to the Underlying Agreement, we are governed by 47 U.S.C. § 252(e) and HAR § 6-80-54. These sections provide that we may reject a negotiated agreement only if:

- (1) The agreement, or any portion of the agreement, discriminates against a

¹"Internet Traffic" is defined as "[t]raffic that is transmitted to or returned from the Internet at any part during the duration of the transmission." See, Underlying Agreement, at 31.

telecommunications carrier not a party to the agreement; or

- (2) The implementation of the agreement, or any portion of the agreement, is not consistent with the public interest, convenience, and necessity.

Upon review, we find that the Parties' Amendment to the Underlying Agreement, filed on April 19, 2002, does not discriminate against other telecommunications carriers, and that the implementation of the Amendment is consistent with the public interest, convenience, and necessity. Accordingly, we conclude that the Amendment should be approved.

III.

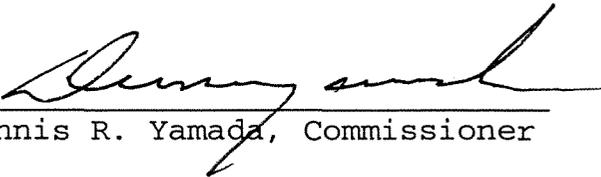
THE COMMISSION ORDERS:

1. The Amendment submitted on April 19, 2002, by Verizon Hawaii, on behalf of itself and Reconex, is approved.
2. This docket is closed.

DONE at Honolulu, Hawaii this 16th day of July, 2002.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Wayne H. Kimura, Chairman

By 
Dennis R. Yamada, Commissioner

By (EXCUSED)
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Benedyne S. Stone
Commission Counsel

02-0093.eh

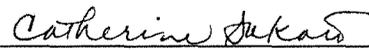
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No.19467 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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Catherine Sakato

DATED: July 16, 2002